

BILL NO. **87-23**

AS AMENDED

COUNTY COUNCIL  
OF  
HARFORD COUNTY, MARYLAND

BILL NO. 87-23 (AS AMENDED)

Introduced by Council Members Fielder and Risacher

Legislative Day No. 87-17 Date June 2, 1987

AN EMERGENCY ACT to add new Article V, heading, Veterinarians, to new Chapter 149, heading, Health, all of the Harford County Code, as amended; ~~to provide for the proper care, treatment, and protection of animals;~~ to provide Veterinarian practices be performed at certain locations and to provide, generally, for Veterinarian practices in Harford County.

By the Council, June 2, 1987

Introduced, read first time, ordered posted and public hearing scheduled

on: July 7, 1987

at: 6:30 P.M.

By Order: Doris Poulsen, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was

held on July 7, 1987

and concluded on July 7, 1987

Doris Poulsen, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

BILL NO. **87-23**

AS AMENDED

1 WHEREAS,--there--are--growing-awarenesses--and--concerns  
2 among-Veterinarians-over-certain-kinds-of-animal-health-care  
3 practices-occurring-within-the-state-which-are-tantamount-to  
4 the-health,--safety,--and--welfare-of--the-citizens--of--this  
5 state,--and

6 WHEREAS,--these--kinds--of-practices--have--occurred--in  
7 Harford-County-recently,--and

8 WHEREAS,--due-to--these--events,--the--concern--for--the  
9 public-health,--safety,--and--welfare--of--the--citizens--of  
10 Harford-County-related-to--certain-possible-zoonotic--condi-  
11 tions-created-while-in-the--pursuance-of-animal-health--care  
12 is-of-immediate-importance-to-the-County-Council;

13 NOW,--THEREFORE,--BE-IT-RESOLVED-by-the-County-Council-of  
14 Harford-County,--Maryland,--that--in-order--to-better--assure  
15 effective-and-appropriate-animal-health-care-for-the-protec-  
16 tion-of-the-health,--safety,--and-welfare-of-the-citizens--of  
17 Harford-County:

18 WHEREAS, there is a great public concern over the  
19 rabies epidemic occurring within this state and particularly  
20 within Harford County; and

21 WHEREAS, it is recognized that the health, welfare and  
22 safety of the citizens of Harford County is jeopardized if  
23 the records of veterinary services performed in Harford  
24 County, on animals within Harford County, are not readily  
25 accessible by the responsible officials of the County  
26 whenever an animal attack upon a human occurs;

27 NOW, THEREFORE, BE IT RESOLVED by the County Council of  
28 Harford County, Maryland, that in order to protect the  
29 health, welfare and safety of the citizens of Harford County  
30 and insure that the records of animal health care are  
31 readily accessible to the County:

32 Section 1. Be It Enacted By The County Council of Harford

County, Maryland, that new Article V, heading, Veterinarians, be, and it is hereby added to new Chapter 149, heading, Health, of the Harford County Code, all to read as follows:

CHAPTER 149. HEALTH.

ARTICLE V. VETERINARIANS.

SECTION 149-75. PRACTICES.

A. UNLESS EXCEPTED HEREIN, VETERINARIANS INTENDING TO PERFORM VETERINARIAN SERVICES IN HARFORD COUNTY SHALL PROVIDE THE COUNTY HEALTH OFFICER WITH THE FOLLOWING INFORMATION:

(1) NAME, RESIDENT RESIDENCE AND BUSINESS ADDRESSES, RESIDENT RESIDENCE AND BUSINESS TELEPHONE NUMBERS;

(2) A COPY OF THEIR VETERINARIAN LICENSE OR CERTIFICATE FROM THE STATE BOARD OF VETERINARY MEDICAL EXAMINERS;

(3) A COPY OF THE ZONING CERTIFICATE FROM THE DEPARTMENT OF PLANNING AND ZONING FOR THE LOCATION SERVICES ARE TO BE PERFORMED;

(4) THE ADDRESS WHERE THE SERVICE IS TO BE PERFORMED, INCLUDING A DESCRIPTION OF THE SERVICES TO BE PERFORMED;

(5) THE NAME OF THE OWNER OR AGENT ON WHOSE PROPERTY THE SERVICE IS TO BE PERFORMED;

(6) ANY ADDITIONAL INFORMATION WHICH THE COUNTY MAY REQUIRE.

B. THE VETERINARIAN SHALL PROVIDE THE INFORMATION IN THIS SECTION TO THE HEALTH OFFICER, IN WRITING, AT LEAST FIVE (5) CALENDAR DAYS BEFORE THE DATE OF THE INTENDED SERVICES.

C. THIS INFORMATION SHALL BE PROVIDED BY THE VETERINARIAN FOR EACH LOCATION THE VETERINARIAN INTENDS TO PERFORM

1 SAID SERVICES AND--FOR-EACH-TIME--THE-VETERINARIAN-USES--THE  
2 SAME-LOCATION-FOR-A-PERIOD--LONGER-THAN-TWO-(2)--CONSECUTIVE  
3 DAYS.

4 D. THE HEALTH OFFICER IS HEREBY AUTHORIZED TO ADOPT  
5 POLICIES-AND-PROCEDURES RULES AND REGULATIONS NECESSARY TO  
6 FURTHER THE PURPOSE AND INTENT OF THIS ARTICLE FOR THE  
7 PROTECTION OF THE HEALTH, SAFETY, AND WELFARE OF THE  
8 CITIZENS OF HARFORD COUNTY AND--PROTECTION--AND-HEALTH--OF  
9 ANIMALS.

10 E.--NO-PERSON-SHALL-PERFORM-VETERINARY-SERVICES-WITHOUT  
11 FIRST-BEING-A-LICENSED-VETERINARIAN.

12 SECTION 149-76. ACTIVITIES/SERVICE.

13 THE VETERINARIAN, WHILE PERFORMING SERVICES SERVICES,  
14 SHALL SUPERVISE THE FOLLOWING ACTIVITIES AND SHALL HAVE-FULL  
15 RESPONSIBILITY BE RESPONSIBLE FOR ENSURING THAT THESE  
16 ACTIVITIES ARE FOLLOWED AND COMPLETED:

17 (1) THE SERVICES PERFORMED AND RELATED ACTIVITIES  
18 SHALL BE NOT LESS THAN TWENTY-FIVE (25) FEET FROM ANY  
19 ESTABLISHMENT SERVING OR HANDLING FOOD;

20 (2) ANIMAL WASTE, MANURE, ETC., SHALL NOT BE  
21 ALLOWED TO ACCUMULATE ON THE FLOOR OR ON ADJACENT GROUNDS  
22 AND SHALL BE CLEANED AND DISINFECTED IMMEDIATELY;

23 (3)--NO-ANIMAL-SHALL--BE-INOCULATED-OR--VACCINATED  
24 WHICH-APPEARS-TO-BE-SICK;

25 (3) EACH ANIMAL BROUGHT TO THE VETERINARIAN FOR  
26 SERVICE OR TREATMENT SHALL BE LEASHED OR CAGED BY ITS OWNER,  
27 THE AGENT OF THE OWNER, OR THE DESIGNEE OF THE OWNER.

28 (4)--ALL-DOGS-AND--CATS-WAITING-FOR-SERVICE--SHALL  
29 BE-LEASHED-OR-CAGED;

30 (5)--NO-SURGERY-OF-ANY-KIND-SHALL-BE-PERMITTED;

31 (6)---SUFFICIENT--STAFF--TO--HANDLE--ANIMALS---AND  
32 ACCOMMODATE-PEOPLE-WAITING.

1 THE-VETERINARIAN-SHALL--KEEP-FOR-A--PERIOD-OF-FIVE--(5)  
2 YEARS-ACCURATE--RECORDS-ON--EACH-ANIMAL--VACCINATED.---THESE  
3 RECORDS-SHALL-BE-MADE-AVAILABLE-TO-THE-HEALTH-OFFICER-WITHIN  
4 A-TWENTY-FOUR-(24)-HOUR-PERIOD-

5 SECTION-149-77.---BOND/INSURANCE-

6 A.---THE--VETERINARIAN--SHALL--EXECUTE--AND--FILE--WITH  
7 HARTFORD-COUNTY-A-BOND-IN-THE-AMOUNT-OF-TEN-THOUSAND--DOLLARS  
8 (\$10,000.00)-PRIOR-TO-PERFORMING-ANY-SERVICES-IN-THE-COUNTY.  
9 THE-BOND-SHALL-BE-PAYABLE-TO-THE-EXTENT-OF-ANY-TAXES,--FEES,  
10 OR-FINES,--OR-AGAINST-ANY-SUIT-OF-ANY-TAXES,--FEES,--OR--FINES,  
11 AND-SHALL--PROVIDE--THAT--ANY-PERSON--USING--THE--VETERINARY  
12 SERVICES-FOR--AN-ANIMAL(S)--MAY-MAINTAIN--AN-ACTION--AGAINST  
13 THE-VETERINARIAN-FOR-CLAIMS-ARISING-FROM-THE-SERVICES-

14 B.---THE-BOND-SHALL-CONTINUE-IN-EFFECT-FOR-ONE-(1)--YEAR  
15 AFTER-TERMINATION-OF-THE-SERVICES-AND-UNTIL-ALL-ACTIONS--ARE  
16 CONCLUDED-AND--JUDGMENTS-HAVE--BEEN-SATISFIED--OR-UNTIL--THE  
17 AMOUNT-OF-THE--BOND-HAS--BEEN-EXHAUSTED--BY-THESE--PAYMENTS.  
18 THE-BOND-SHALL--BE-IN--ADDITION-TO--ALL-DEPOSITS,--LICENSING  
19 FEES,--PERMIT-FEES,--OR-OTHER-REQUIREMENTS-UNDER-COUNTY-LAW.  
20 SECTION 149-77. RECORDS.

21 THE VETERINARIAN SHALL KEEP FOR A PERIOD OF THREE (3)  
22 YEARS ACCURATE RECORDS PERTAINING TO EACH ANIMAL VACCINATED,  
23 IDENTIFYING THE ANIMAL'S OWNER AND THE PROPERTY WHERE THE  
24 ANIMAL IS KEPT. WITHIN SEVENTY-TWO (72) HOURS OF A REQUEST,  
25 THE VETERINARIAN SHALL MAKE THESE RECORDS AVAILABLE TO THE  
26 HEALTH OFFICER.

27 C.---INSURANCE-

28 THE-APPLICANT-SHALL-FILE-WITH-THE-COUNTY-A-CERTIFI-  
29 CATE-OF-MALPRACTICE-INSURANCE--STATING-THE-NAME-AND--ADDRESS  
30 OF-THE-INSURANCE-COMPANY-AND-LIMITS-OF-THE-POLICY.  
31 SECTION 149-78. EXEMPTIONS.

32 VETERINARIAN SERVICES PERFORMED AT THE FOLLOWING

LOCATIONS ARE EXEMPTED FROM THE PROVISIONS OF THIS ARTICLE:

- (1) PERMANENTLY ESTABLISHED VETERINARY HOSPITALS;
- (2) PERMANENTLY ESTABLISHED VETERINARY CLINICS;
- (3) HEALTH DEPARTMENT SPONSORED OR SUPPORTED CLINICS;
- (4) ON PRIVATE PROPERTY, AT THE REQUEST OF THE PROPERTY OWNER, AGENT OF THE PROPERTY OWNER, OR PERSON HAVING CUSTODY OF AN ANIMAL(S) ON THE PROPERTY AND ONLY ON ANIMAL(S) BELONGING TO THE PROPERTY OWNER OR AGENT AND RESIDING ON THE PROPERTY;
- (5) WHERE AN IMMEDIATE DANGER OCCURS INVOLVING AN ANIMAL WHICH MAY JEOPARDIZE THE HEALTH, SAFETY, OR WELFARE OF A HUMAN.

SECTION 149-79. ENFORCEMENT AND PENALTY.

A. ANY VETERINARIAN IN VIOLATION OF THIS ARTICLE SHALL BE SUBJECT TO A CIVIL FINE OF FIVE HUNDRED DOLLARS (\$500.00) FOR THE FIRST OFFENSE AND ONE THOUSAND DOLLARS (\$1,000.00) FOR EACH OFFENSE THEREAFTER THEREAFTER, PAYABLE TO THE COUNTY WITHIN TEN (10) DAYS IN FULL SATISFACTION OF THE ASSESSED PENALTY. A LAW ENFORCEMENT OFFICER MAY ISSUE A CIVIL CITATION TO THE VIOLATOR. EACH DAY OF THE CONTINUING VIOLATION SHALL BE CONSIDERED A SEPARATE CIVIL VIOLATION. ANY FINES COLLECTED SHALL BE DEPOSITED IN THE GENERAL FUND. ~~UNPAID FINES SHALL BE A LIEN ON PROPERTY IF NOT PAID IN FULL. A PERSON MAY, IN LIEU OF PAYING THE FINE, APPEAL THE CIVIL VIOLATION BEFORE THE HARFORD COUNTY ADMINISTRATIVE BOARD OF APPEALS IN A MANNER AS PROVIDED FOR IN THIS CODE.~~ THE COUNTY SHALL HAVE THE RIGHT TO COLLECT ALL FINES IMPOSED HEREUNDER BY COMMENCING A CIVIL ACTION IN THE DISTRICT COURT FOR HARFORD COUNTY.

SECTION 149-80. REPORTS.

LAW ENFORCEMENT AND COUNTY AGENCIES SHALL REPORT

1 VIOLATIONS OF THIS ARTICLE TO THE HEALTH OFFICER, AT WHICH  
2 TIME THE HEALTH OFFICER SHALL REPORT THE INCIDENT TO THE  
3 STATE BOARD OF VETERINARIAN MEDICAL EXAMINERS FOR THE  
4 BOARD'S CONSIDERATION.

5 SECTION 149-81. SEVERABILITY.

6 IF ANY SECTION, SUBSECTION, PARAGRAPH, SENTENCE, OR  
7 PHRASE OF THIS ACT IS FOR ANY REASON HELD TO BE INVALID BY A  
8 COURT OF COMPETENT JURISDICTION, SUCH DECISION SHALL NOT  
9 AFFECT THE VALIDITY OF THE REMAINING PROVISIONS OF THIS ACT.

10 Section 2. Be It Further Enacted that this Act is hereby  
11 declared to be an emergency necessary to protect the public  
12 from potentially diseased and vicious animals and for the  
13 immediate protection of the health, safety, and welfare of  
14 the citizens of Harford County, and for the proper and  
15 immediate inoculation, care, and protection of animals in  
16 Harford County.

17 EFFECTIVE: August 5, 1987  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

87-23

BY THE COUNCIL

AS AMENDED

BILL NO. 87-23 (as amended)

Read the third time.

Passed LSD 87-22 (July 21, 1987) (with amendments)

Failed of Passage \_\_\_\_\_

By Order

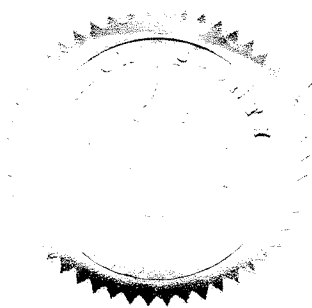
Doris Poulsen, Secretary

Scaled with the County Seal and presented to the County Executive  
for his approval this 22nd day of July, 1987  
at 3:00 o'clock P.M.

Doris Poulsen, Secretary

BY THE EXECUTIVE

APPROVED:



[Signature]  
County Executive

Date 8-5-87

BY THE COUNCIL

This Bill (No. 87-23, as amended), having been approved by  
the Executive and returned to the Council, becomes law on  
August 5, 1987.

Doris Poulsen, Secretary

EFFECTIVE DATE: August 5, 1987

87-23

AS AMENDED